

**DECLARATION AND POWER OF ATTORNEY**

**REGULAR OR DESIGN APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

PROCESS FOR THE PREPARATION OF A DRY PESTICIDAL COMPOSITION  
CONTAINING A DICARBOXYLATE COMPONENT

the specification of which:

(check one)

☒ [X] is attached hereto

☐ [ ] was filed on \_\_\_\_\_ as Application Serial No. \_\_\_\_\_, and was amended on \_\_\_\_\_.

☐ [ ] was described and claimed in PCT International Application No. \_\_\_\_\_, filed on \_\_\_\_\_ and as amended under PCT Article 19 on \_\_\_\_\_, if any.

**ACKNOWLEDGEMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR**

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations §1.56.

**PRIORITY CLAIM**

I hereby claim foreign priority benefits under Title 35, United States Code, §119 (a) - (d) or §365(b) of any foreign application for patent or inventor's certificate, or §365(a) of any PCT application which designates at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Priority Claimed

_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)

Priority Not Claimed

ANY FOREIGN APPLICATION(S), ON THE SAME SUBJECT MATTER WHICH HAS A FILING DATE EARLIER THAN THE EARLIEST APPLICATION FROM WHICH PRIORITY IS CLAIMED

_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)
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**CLAIM FOR BENEFIT OF PROVISIONAL APPLICATION(S)**

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below.

<u>60/407,479</u> (Application Number)	<u>August 31, 2002</u> (Filing Date)
_____ (Application Number)	_____ (Filing Date)

**CLAIM FOR BENEFIT OF EARLIER U.S. APPLICATION(S)  
UNDER 35 U.S.C. 120**

(complete this part only if this is a divisional,  
continuation or CIP application)

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s), or §365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

_____ (Serial No.)	_____ (Filing Date)	_____ (Status)
_____ (Serial No.)	_____ (Filing Date)	_____ (Status)

**POWER OF ATTORNEY**

I hereby appoint the following attorneys/agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Donald G. Leavitt (17,626), John K. Roedel, Jr. (25,914), Michael E. Godar (28,416), Edward J. Hejlek (31,525), William E. Lahey (26,757), Richard G. Heywood (18,224), Frank R. Agovino (27,416), Kurt F. James (33,716), Paul I. J. Fleischut (35,513), Vincent M. Keil (36,838), Robert M. Evans, Jr. (36,794), Robert M. Bain (36,736), Kathleen M. Petrillo (35,076), Richard L. Bridge (40,529), Christopher M. Goff (41,785), Derick E. Allen (43,468), Michael G. Munsell (43,820), Anthony R. Kinney (44,834), Brian P. Klein (44,837), Donald W. Tuegel (45,424), Steven M. Ritchey (46,321), Kathryn J. Doty (40,593), James J. Barta, Jr. (47,409), James E. Davis (47,516), Richard A. Schuth (47,929), Jennifer E. Hoekel (48,330), Timothy B. McBride (47,781), David L. Howard (41,502), Andrew N. Claerbout (50,202), Thomas F. Maloney (50,156), James D. Harper (51,781), Jeffrey S. Ellsworth (51,650), Patricia K. Fitzsimmons (52,894), Kofi Adzamli (52,545), Andrew C. Wegman (54,530) and Bradley S. Schammel (54,667), all of the law firm of SENNIGER, POWERS, LEAVITT & ROEDEL, One Metropolitan Square, 16th Floor, St. Louis, Missouri 63102, and Brian K. Stierwalt (33,213), Joseph A. Schaper (30,493), Dennis R. Hoerner, Jr. (30,914) and Grace L. Bonner (32,963) of Monsanto Technology LLC, 800 N. Lindbergh Boulevard, St. Louis, Missouri 63167.

Send Correspondence To:

Direct Telephone Calls To:

Customer Number: 000321

Vincent M. Keil  
(314) 231-5400

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

-----  
Full name of sole or first inventor Jeffrey A. Graham

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence Chesterfield, MO Citizenship U.S.

Post Office address 49 Picardy Hill Drive

Chesterfield, MO 63017-7129

Full name of second joint inventor William Abraham

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence Wildwood, MO Citizenship India

Post Office address 17153 Lafayette Trails Drive

Wildwood, MO 63038

Full name of third joint inventor John T. Wang

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence St. Louis, MO Citizenship U.S.

Post Office address 1019 Forder Crossing Drive

St. Louis, MO 63129

Full name of fourth joint inventor Beth J. Calabotta

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence University City, MO Citizenship U.S.

Post Office address 728 Brittany Lane

University City, MO 63130

Full name of fifth joint inventor Brent D. Massmann

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence Ballwin, MO Citizenship U.S.

Post Office address 309 Oak Top Court

Ballwin, MO 63021



Full name of sixth joint inventor William H. Miller

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence Glendale, MO Citizenship U.S.

Post Office address 1000 Nancy Carol Lane

Glendale, MO 63122



RAS/vmk  
UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

JUNE 20, 2003

PTAS

SENNIGER, POWERS, LEAVITT & ROEDEL  
RICHARD A. SCHUTH, ESQ.  
ONE METROPOLITAN SQUARE, 16TH FLOOR  
ST. LOUIS, MO 63102

\*700033915A\*

\*700033915A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 02/05/2003

REEL/FRAME: 013747/0182  
NUMBER OF PAGES: 10

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

GRAHAM, JEFFREY A. /

DOC DATE: 12/05/2002

ASSIGNOR:

WANG, JOHN T. /

DOC DATE: 12/11/2002

ASSIGNOR:

ABRAHAM, WILLIAM /

DOC DATE: 12/11/2002

ASSIGNOR:

CALABOTTA, BETH J. /

DOC DATE: 12/11/2002

ASSIGNOR:

MASSMANN, BRENT D. /

DOC DATE: 01/06/2003

ASSIGNOR:

MILLER, WILLIAM H. /

DOC DATE: 12/10/2002

ASSIGNEE:

MONSANTO TECHNOLOGY LLC ✓  
800 N. LINDBERGH BLVD.  
ST. LOUIS, MISSOURI 63167

366

013747/0182 PAGE 2

SERIAL NUMBER: 60407479 ✓  
PATENT NUMBER:

FILING DATE: 08/31/2002 ✓  
ISSUE DATE:

LAZENA MARTIN, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

BLM

FAX NO. 23145

**REQUEST FOR CORRECTION OF RECORDS RECORDED COVER SA**, 37 CFR 3.34  
PURSUANT TO DOCUMENT ID NO. 102360251

Mail documents to be recorded with required cover sheet information to:  
Mail Stop Assignment Recordation Services  
Director of the U.S. Patent and Trademark Office  
P.O. Box 1460  
Alexandria, VA 22313-1460

02-07-2003

U. S. DEPARTMENT OF COMMERCE  
U.S. Patent and Trademark Office

Tab settings ☐ ☐ ☐ ☒

Attorney Docket No.: MTC 686



102360251

4; 39-21(52574)A)

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Jeffrey A. Graham, John T. Wang, William Abraham,  
Beth J. Calabotta, Brent D. Massmann and  
William H. Miller

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance:

- ☐ Assignment ☐ Merger  
☐ Security Agreement ☒ Change of Name  
☐ Other

December 5, 2002; December 11, 2002  
December 11, 2002; December 11, 2002  
January 6, 2003; and

Execution Date: December 10, 2002

2. Name and address of receiving party(ies)

Name: Monsanto Technology LLC

Internal Address:

Street Address: 800 N. Lindbergh Blvd.

City: St. Louis State: MO Zip: 63167

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s)

60/407,479

B. Patent No.(s)

Additional number(s) attached ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Richard A. Schuth, Esq.

Internal Address:

Senniger, Powers, Leavitt & Roedel

Street Address:

One Metropolitan Square, 16th Floor

City: St. Louis State: MO Zip: 63102

6. Total number of applications and patents involved:

1

7. Total fee (37 CFR 3.41).....\$ 40.00

☒ Enclosed

☐ Authorized to be charged to deposit account

8. Deposit account number:

19-1345

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Richard A. Schuth  
Name of Person Signing

Signature

January 29, 2003  
Date

02/06/2003 ECD000ER 0000011A 60407479

Total number of pages including cover sheet, attachments, and document: 9

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40.00 DP

Mail documents to be recorded with required cover sheet information to:  
Commissioner of Patent & Trademarks, Box Assignments  
Washington, D.C. 20231

OFFICE OF PUBLIC RECORDS  
2003 FEB - 2 AM 7:17  
FINANCE SECTION

## ASSIGNMENT

WHEREAS, We Jeffrey A. Graham of Wildwood, Missouri, John T. Wang of St. Louis, Missouri, William Abraham of Wildwood, Missouri, Beth J. Calabotta of St. Louis, Missouri, Brent D. Massmann of Ballwin, Missouri and William H. Miller of Glendale, Missouri, have invented an improvement in PROCESS FOR THE PREPARATION OF A DRY PESTICIDAL COMPOSITION CONTAINING A DICARBOXYLATE COMPONENT (File MTC 6867.4; 39-21 (53176)A) and have executed an application for a United States patent based thereon Serial No. 60,407,479, filed August 31, 2002;

AND, WHEREAS, Monsanto Technology LLC of St. Louis, Missouri, a corporation of the State of Delaware (hereinafter referred to as "ASSIGNEE") is desirous of acquiring certain rights thereunder;

NOW, THEREFORE, for one dollar and other good and valuable consideration, receipt of all of which is hereby acknowledged, we have agreed to and do hereby sell, assign and transfer unto said ASSIGNEE the entire right, title and interest in and throughout the United States of America (including its territories and dependencies) and all countries foreign thereto in and to said invention, said United States application, any other United States applications (including provisional, non-provisional, divisional, continuing, or reissue applications) based in whole or in part on said United States application or in whole or in part on said invention, any foreign applications based in whole or in part on any of the aforesaid United States applications or

in whole or in part on said invention, and any and all patents (including extensions thereof) of any country which have been or may be granted on any of the aforesaid applications or on said invention or any part thereof;

**TO BE HELD AND ENJOYED** by said ASSIGNEE, its successors and assigns, as fully and entirely as the same would have been held and enjoyed by us had no sale and assignment of said interest been made;

**AND We** hereby authorize and request the Commissioner of Patents of the United States of America to issue any and all United States patents which may be granted upon said United States applications or any of them, or upon said invention or any part thereof, to said ASSIGNEE;

**AND We** hereby jointly and severally agree for ourselves and for our respective heirs, executors and administrators, to execute without further consideration any further lawful documents and any further assurances, and any provisional, non-provisional, divisional, continuing, reissue, or other applications for patents of any country, that may be deemed necessary by said ASSIGNEE fully to secure to said ASSIGNEE its interest as aforesaid in and to said invention or any part thereof, and in and to said several patents or any of them;

**AND We** hereby jointly and severally covenant for ourselves and our respective legal representatives that we have granted no right or license to make, use or sell said invention, to anyone except said ASSIGNEE, that prior to the execution of this deed

our right, title and interest in said invention had not been otherwise encumbered, and that we have not executed and will not execute any instrument in conflict herewith.

IN WITNESS WHEREOF, we have hereunto set our hands.

12-5-02  
Date

Jeffrey A. Graham  
Jeffrey A. Graham

STATE OF Missouri )  
COUNTY OF St. Louis )

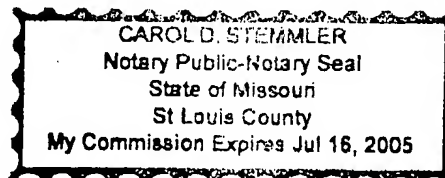
On this 5th day of December, 2002, before me, a Notary Public, personally appeared Jeffrey A. Graham to me known to be the person described in and who executed the foregoing assignment and acknowledged that he executed same as his free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal the date and year last above written.

Carol D. Stemmler  
Notary Public

My Commission Expires:

July 16, 2005





Dec. 11, 2002  
Date

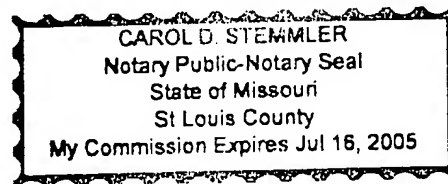
John T. Wang  
John T. Wang

STATE OF Missouri )  
COUNTY OF St. Louis )

On this 11<sup>th</sup> day of December, 2002, before me, a Notary Public, personally appeared John T. Wang to me known to be the person described, in and who executed, the foregoing assignment and acknowledged that he executed same as his free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal and the date and year last above written.

Carol D. Stemmler  
Notary Public



My Commission Expires:

July 16, 2005

12/11/02  
Date

William Abraham  
William Abraham

STATE OF Missouri,  
COUNTY OF St. Louis )

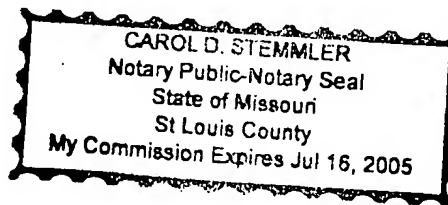
On this 11<sup>th</sup> day of December, 2002, before me, a Notary Public, personally appeared William Abraham to me known to be the person described in and who executed the foregoing assignment and acknowledged that he executed same as his free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal the date and year last above written.

Carol D. Stemmler  
Notary Public

My Commission Expires:

July 16, 2005



11 Dec 02  
Date

Beth J. Calabotta  
Beth J. Calabotta

STATE OF Missouri )  
COUNTY OF St. Louis )

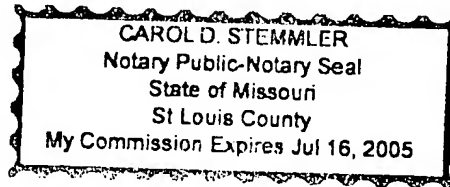
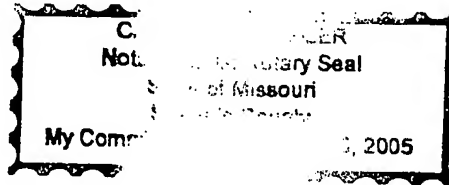
On this 11<sup>th</sup> day of December, 2002, before me, a Notary Public, personally appeared Beth J. Calabotta to me known to be the person described in and who executed the foregoing assignment and acknowledged that she executed same as her free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal the date and year last above written.

Carol D. Stemmler  
Notary Public

My Commission Expires:

July 16, 2005



JAN 06, 2003  
Date

Brent D. Massmann  
Brent D. Massmann

STATE OF MISSOURI )  
COUNTY OF St. Louis )

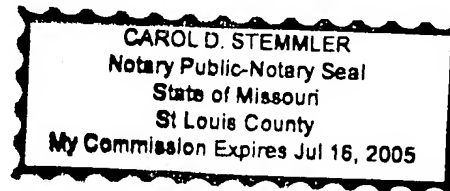
On this 6<sup>th</sup> day of JANUARY, 2003, before me, a Notary Public, personally appeared Brent D. Massmann to me known to be the person described in and who executed the foregoing assignment and acknowledged that he executed same as his free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal the date and year last above written.

Carol D. Stemmler  
Notary Public

My Commission Expires:

July 16, 2005



12-10-02  
Date

William H. Miller  
William H. Miller

STATE OF Missouri )  
COUNTY OF St. Louis )

On this 10<sup>th</sup> day of December, 2002, before me, a Notary Public, personally appeared William H. Miller to me known to be the person described in and who executed the foregoing assignment and acknowledged that he executed same as his free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal the date and year last above written.

Carol D. Stemmler  
Notary Public

My Commission Expires:

July 16, 2005

